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OGC Has Reviewed

MEMORANDUM FOR: Deputy Director for Support

SUBJECT : Current Interest Items

1. Overtime Pay

We have obtained a copy of the recent court decision holding that IRS improperly cancelled payment of a 15% differential in lieu of overtime pay for certain agents while in effect directing them to perform overtime necessary to their duties. The possible impact of this decision on the Agency's overtime policies has been discussed with the General Counsel.

When our overtime policy was established, particularly the requirement for eight hours of uncompensated overtime in any pay period before overtime compensation could be paid, it was recognized that there might be technical inconsistencies with the Federal Employees Pay Act and that certain features of the policy might therefore be ruled against if an employee should bring a claim for payment to court. Our recollection is that the policy was considered desirable and adopted with the knowledge that it might at some time be overturned by the courts.

The General Counsel has again reviewed this matter and has concluded that there are reasonable grounds for arguing that the Agency is not subject to the provisions of the Federal Employees Pay Act. He indicated that he wanted to explore this position with other agencies concerned (Department of Justice, GAO, and possibly the Civil Service Commission). If there is agreement to the proposition that the Agency is not subject to the Act, any potential problems stemming from the overtime provisions of the Act will be largely dissipated. This is not to say that a contrary court decision might still be reached if the question should go to court.

We shall report further when the General Counsel has completed his survey. Our present opinion is that the decision in the IRS case does not per se require any change in policy or in practice.

2. Statistical Record of Auto Accidents near Headquarters Building Involving Agency Personnel

25X1A9a [redacted] asked us for statistics on the number of accidents involving Agency personnel which have occurred on the highways leading to the Headquarters Building. We told him that we did not keep these emer- 25X1A9a gencies as a separate statistic but suggested that he might call [redacted] Office of Security, to see whether he was keeping a list. At the same time, we indicated that we could dig through all of our employee emergency records to accumulate such a statistic. Hal did not wish that this be done.

25X1A9a [redacted] did ask, however, that we begin to keep a specific record, for use as may be needed, of injuries which do occur on the highways leading to the Headquarters Building because of the increasing interest and concern shown by the Office of the DCI. He was advised that BSD would institute such a procedure immediately, working with the Office of Security and, where appropriate, the Medical Staff.

NO CHANGE IN CLASS. ☐

CLASS. CHANGED TO: ☐

NEXT REVIEW DATE: 2015

AUTH: HR 70-2/11

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3. Detail of Officers to NIPE Staff

We have been in touch with the Pentagon and the State Department regarding the details of [REDACTED] and of [REDACTED] to the NIPE Staff. Administrative arrangements will not be completed until the question of reimbursability has been settled. (Mr. Bross is awaiting a reply from Norman Paul on this score which we believe will supply the answer for both cases.) In the meantime, we have confirmed that appropriate security clearances are being developed by the Office of Security.

4. Liberalization of WAEPA Insurance Program

Consistent with our efforts to improve the Agency's insurance program, we have persuaded the Board of Directors of WAEPA to return to policy holders the premium refunds received from the underwriter. Historically, these have been retained in WAEPA surplus. Hereafter, such premium refunds will be used as the premium for supplemental insurance for WAEPA policy holders. Participants who are age 40 or under will receive supplemental coverage of \$5,000; those who are 41 through 50 will receive supplemental coverage of \$2,500; those who are 51 through 65 will receive \$1,250 in supplemental coverage.

5. S&T Personnel Advisory Committee

The Committee will meet on 19 December to review the first nominations for conversion of employees to the SPS scale (4 in DD/S&T). The Committee will also review a recommendation for initial appointment of a scientist for OSA on the SPS scale. These nominations will be forwarded with the Committee's recommendation through you to the Office of the Director for approval.

8. Seat Belt Safety Program

Plans for a January campaign, starting with an "impact week" in mid-January are nearly complete. The campaign will include the following:

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- a. Publicity: Employee Bulletin
Posters - Series to cover a four-week period
Pay check leaflets
Flyers inserted under windshield wiper of cars
in Headquarters lot which are not equipped
with seat belts.

b. Sale of seat belts through the Recreation Association; main sales desk will be at Headquarters but there will be a portable display for use at other buildings. A more elaborate display will be set up at Headquarters for four weeks; the theme of the display will be changed weekly.

c. Installation: Purchasers will be advised regarding service stations where seat belts can be installed and typical charges for this service.

d. Permanent Reminder: Signs will be installed at the exits from the grounds of Headquarters Building to remind employees to "Fasten Seat Belts." We are also exploring the possibility of placing such reminders at other Agency buildings.

9. Wage Board Schedule

Annual surveys by the responsible agencies have resulted in small hourly rate increases for the schedules listed below:

- a. Army - Air Force Board
(Rates apply to 170 employees in Office of Logistics and 29 employees at [REDACTED] in job groups indicated. Increases effective 8 December.)

Laborers	6¢ per hour increase
Chauffeurs; semi-skilled workers	7¢ per hour increase
Skilled trades and crafts workers	8¢ per hour increase

(Leaders and supervisors receive an average of 1¢ per hour additional increase.)

- b. Inter-Departmental Lithographic Board
(Rates apply to 90 employees in Office of Logistics. Increases effective 10 November 1963.)

Unskilled group	10¢ per hour increase
Semi-skilled group	11¢ per hour increase
Journeymen; supervisors	13¢ per hour increase

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10. Blood Donors

The December Bloodmobile visit produced 164 pints of blood from 177 prospective donors.

/s/ Emmett D. Echols

Emmett D. Echols
Director of Personnel

Distribution:

0 & 1 - Addressee

1 - D/Pers Subj

1 - D/Pers Chrono

25X1A9a

OD/Pers/ [REDACTED] (18 December 1963)

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